

1 K Brnovich  
Attorney General

2 Julie Rhodes (016313)  
3 Christopher J. Feasel (033301)  
Assistant Attorney General  
4 2005 North Central Avenue  
Phoenix, Arizona 85004-1592  
5 Telephone: (602) 542-8050  
Fax: (602) 542-3393  
6 [DefensePhx@azag.gov](mailto:DefensePhx@azag.gov)  
7 [Julie.Rhodes@azag.gov](mailto:Julie.Rhodes@azag.gov)  
[Christopher.Feasel@azag.gov](mailto:Christopher.Feasel@azag.gov)

8 *Attorney for State Defendants*

9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE DISTRICT OF ARIZONA**

11 Jessica Kahraman, an individual; and  
12 D.K., a minor through his parent and  
guardian Jessica Kahraman; and K.K., a  
13 minor, through his parent and guardian  
Jessica Kahraman,

14 Plaintiff,

15 vs.

16 The State of Arizona, a governmental  
entity; Arizona Department of Child  
17 Safety, a governmental entity; Madison  
Bell, individually and as an employee  
18 with the State of Arizona Department of  
Child Safety, and John Doe Bell, her  
19 spouse; Sarah Kramer, individually and  
as an employee with the State of Arizona  
20 Department of Child Safety, and John  
Doe Kramer, her spouse; Sarah Mendez,  
21 individually and as an employee with the  
State of Arizona Department of Child  
22 Safety, and John Doe Mendez, her  
spouse; Mecca Temple, individually and  
23 as an employee with the State of Arizona  
Department of Health Services, and John  
Doe Temple, her spouse; Southwest  
24 Human Development, an Arizona  
nonprofit organization, individually and  
25 as a service provider for the State of  
Arizona; Drue Kaplan-Siekman,  
26 individually and as an employee with  
Southwest Human Development, and  
27 John Doe Siekman, her spouse; Banner  
Children's Medical Center, an Arizona  
28 nonprofit organization; Michael Kelly

Case No:

Maricopa County Case No:  
CV2021-054067

**NOTICE OF REMOVAL FROM STATE  
COURT UNDER 28 U.S.C. § 1441(a) and  
28 U.S.C. § 1446**

1 and individual, and Jane Doe Kelly, his  
 2 spouse; John and Jane Does 1-5; and  
 3 Black Entities 1-5,

Defendant.

4 Defendants, State of Arizona, Arizona Department of Child Safety, Madison Bell,  
 5 Sarah Kramer, Sarah Mendez, and Mecca Temple (“Defendants”) pursuant to 28 U.S.C.  
 6 §§ 1441(a) and 1446, hereby gives notice of removal of the state court action entitled  
 7 *Jessica Kahraman, et al. v. Arizona Department of Child Safety, et al.* currently pending  
 8 in the Superior Court of the State of Arizona, Maricopa County, case No. CV2021-  
 9 054067, to the United States District Court for the District of Arizona, and in support of  
 10 removal states the following:

11 1. Joseph Montoya of the Attorney General’s Office was served with a copy  
 12 of the Summons and Complaint on February 9, 2022.

13 2. Defendants Madison Bell and Mecca Temple were personally served with a  
 14 copy of the Summons and Complaint on February 17, 2022.

15 3. An acceptance of service of process was filed on behalf of Sarah Kramer  
 16 and Sarah Mendez on March 9, 2022.

17 4. The Attorney General’s Office represents Defendants State of Arizona,  
 18 Arizona Department of Child Safety, Madison Bell, Mecca Temple, Sarah Kramer and  
 19 Sarah Mendez.

20 5. William Doyle represents Defendants Southwest Human Development and  
 21 Drue Kaplan-Siekmann. They consent to the removal.

22 6. Margaret Dean represents Defendant Banner Children’s at Desert. ?????

23 7. All properly served Defendants consent to this removal under 28 U.S.C. §  
 24 1446 (b)(2)(a).

25 8. Pursuant to L.R. Civ 3.6, the following documents are attached as Exhibit  
 26 A and constitute all of the pleadings and documents filed in the state court action:

27 a. Verification

28 b. Court Docket

- c. Complaint
- d. Cert. Arbitration – Not Subject
- e. Summons to St of AZ
- e. Summons to DCS
- f. Summons to Madison Bell
- g. Summons to John Doe Bell
- h. Summons to Sarah Kramer
- i. Summons to John Doe Kramer
- j. Summons to Sarah Mendez
- k. Summons to John Doe Mendez
- l. Summons to Mecca Temple
- m. Summons to John Doe Temple
- n. Summons to Southwest Human Development
- o. Summons to Drue Kaplan-Siekman
- p. Summons to John Doe Siekman
- q. Summons to Banner Children's at Desert, FKA, Cardon Children's Medical Center
- r. Summons to Michael Kelly
- s. Summons to Jane Doe Kelly
- t. Summons to John and Jane Does 1-5
- u. Summons to Black Entities 1-5
- v. Notice of Intent to Dismiss Case for Lack of Service
- w. Affidavit of Attempted Service John Doe Kramer
- x. Affidavit of Attempted Service Michael Kelly
- y. Affidavit of Attempted Service Jane Doe Kelly
- z. Affidavit of Service Drue Kaplan-Siekman
- aa. Affidavit of Service Southwest Human Development

bb. Affidavit of Service Banner Children's at Desert, fka, Cardon  
Children's Medical Center

cc. Proof of Service to St of AZ

dd. Affidavit of Service Madison Bell

ee. Affidavit of Service Mecca Temple

ff. Affidavit of Service John Doe Bell

gg. Affidavit of Service John Doe Temple

hh. Affidavit of Service DCS

ii. Affidavit of Attempted Service Sarah Kramer

jj. Notice of Appearance of Thomas H. Doyle on behalf of Southwest  
Human Development and Drue Kaplan-Siekman

9. Defendant has not pled or answered.

10. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) because it is within 30 days after receipt of a pleading, motion, order or other paper from which it may be ascertained that the case is one which is or has become removable, and within one year after commencement of the action and within 30 days of the last waiver of service filed in this action.

11. Under 28 U.S.C. § 1441(a), this action is removable to this Court because 28 U.S.C. § 1331 provides this Court with original jurisdiction over Plaintiffs' claims arising under the Constitution or laws of the United States. Specifically, Plaintiff has sued Madison Bell, Mecca Temple, Sarah Kramer and Sarah Mendez under 42 U.S.C. § 1983 claiming their actions violated Plaintiffs' rights under the Fourth and Fourteenth Amendments.

12. To the extent Plaintiffs' Complaint raises state law claims, this Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a) because the state law claims form part of the same case or controversy as the federal question claims for which the Court has original jurisdiction.

13. A copy of this Notice is being filed with the Clerk of the Superior Court of Maricopa County pursuant to LR Civ 3.6.

RESPECTFULLY SUBMITTED, this 10<sup>th</sup> day of March, 2022.

Mark Brnovich  
Attorney General

/s/ Christopher J. Feasel  
Christopher J. Feasel  
Assistant Attorney General  
*Attorney for State Defendants*

Original of the foregoing electronically  
Filed this 10<sup>th</sup> day of March, 2022, with:  
Clerk of the United States District Court  
using the CM/ECF System for filing and  
mailed a copy to:

Thomas A. Connelly  
**MILLS + WOODS LAW PLLC**  
555 North 12<sup>th</sup> Street, Suite 101  
Phoenix, AZ 85014  
*Attorney for Plaintiff*

DeeAn Gillespie Strub  
**GILLESPIE, SHIELDS, GOLDFAR,  
& TAYLOR**  
7319 North 16<sup>th</sup> Street  
Phoenix, AZ 85020  
*Attorney for Plaintiff*

William H. Doyle  
**DOYLE HERNANDEZ MILLAM**  
1313 E. Osborn Road, Suite 220  
Phoenix, AZ 85014  
*Attorney for Defendants,  
Southwest Human Development and  
Drue Kaplan-Siekman*

Margaret F. Dean  
**CAMPBELL YOST CLARE &  
NORELL**  
3101 N. Central Avenue, Suite 1200  
Phoenix, AZ 85012  
*Attorney for Defendant  
Banner Children's at Desert,  
Formerly Cardon Children  
Medical Center*

By Melissa Ventura  
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